

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LASSANA MAGASSA,

Plaintiff,

v.

CHAD F. WOLF, *in his Official Capacity as
Acting Secretary of the Department of
Homeland Security, et al.*,

Defendants.

CASE NO. 2:19-cv-02036-RSM

STIPULATED MOTION TO EXTEND
DEFENDANTS' DEADLINE BY
WHICH TO FILE A REPLY IN
SUPPORT OF THEIR RENEWED
MOTION TO DISMISS

**Noted for Consideration:
January 7, 2021**

COMES NOW Defendants Chad F. Wolf, David Pekoske, Mark Morgan, William Barr, Christopher Wray, and Charles Kable, all in their official capacities ("Defendants"), through their counsel Antonia Konkoly, Trial Attorney, U.S. Department of Justice, and Plaintiff Lassana Magassa, through his counsel Christina Jump, in this stipulated motion to extend by four days Defendants' deadline to file a Reply memorandum in further support of their renewed Motion to Dismiss, Dkt. No. 40, through and including January 15, 2021.

The grounds for this motion are as follows:

1. On September 24, 2020, following the Court's order granting in part and denying

STIPULATED MOTION TO EXTEND
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U.S. Department of Justice
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1 in part Defendants' first Motion to Dismiss, *see* Dkt. No. 36, the Court entered an order setting a
2 schedule for further proceedings in this matter. Dkt. No. 38. Pursuant to this schedule, Plaintiff
3 filed an Amended Complaint on October 16, 2020, Dkt. No. 39, and Defendants filed a renewed
4 Motion to Dismiss on November 16, 2020, Dkt. No. 40.

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6 2. Per the Court's September 24, 2020 scheduling order, Plaintiff's Opposition to
7 Defendants' renewed motion was originally due on December 7, 2020; however, on November
8 24, 2020 Plaintiff requested, and on November 25, 2020 the Court granted, an extension of this
9 deadline to December 29, 2020. Dkt. Nos. 41, 42.

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11 3. Defendants joined Plaintiff's extension motion on the condition that their Reply
12 deadline be concomitantly extended to January 11, 2021. However, while the extension motion
13 noted this agreement, Dkt. No. 41 ¶ 2, the corresponding proposed order—which the Court
14 subsequently entered—inadvertently omitted this relief.

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16 4. Accordingly, on December 28, 2020 the parties moved to set Defendants'
17 deadline to file their Reply memorandum in further support of their renewed Motion to as
18 January 11, 2021. Dkt. No. 43. On December 29, 2020, the Court granted this requested relief.

19
20 5. Defendants now request, with Plaintiff's consent, to further briefly extent this
21 deadline by four days, through and including January 15, 2021. The brief extension is
22 necessitated by certain unanticipated events that occurred this week, which have interfered with
23 defense counsel's ability to timely circulate a draft to the agency counsel and Department of
24 Justice reviewer whose input on the reply brief is required prior to filing.

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26 6. The parties respectfully submit that the stipulated relief is supported by good
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1 cause and in the interest of judicial economy, in that it will not prolong the resolution of this
2 matter, but will afford Defendants adequate time in which to prepare a fulsome Reply.
3

4 DATED this 7th day of January, 2021.
5

6 Respectfully submitted,
7

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9 Acting Assistant Attorney General

10 TONY COPPOLINO
11 Deputy Branch Director

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14 /s/ Antonia Konkoly
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STIPULATED MOTION TO EXTEND
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ORDER

Pursuant to the parties' motion, and the parties having stipulated and agreed, and the Court finding good cause, it is hereby **ORDERED** that Defendants shall file their Reply memorandum in further support of their renewed Motion to Dismiss, Dkt. No. 40, on or before January 15, 2021.

Dated this 8th day of January, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE